1985

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University of Michigan Law School

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By Steve Hunter
and Bruce Vielmetti

Recently the University of Michigan suffered some bad publicity concerning its atmosphere for minority students. In the past decade, the U-M has fallen far short of its avowed goal of achieving 10 percent black enrollment.

In contrast, the law school, although a part of the University as a whole, had one of its highest first-year minority enrollments ever, some 17 percent. That figure is well above the law school's policy of maintaining a minority enrollment of 10-12 percent.

BUT ALLAN STILLWAGON, admissions officer, said it was unforeseen that minority acceptance rate would be that high, and indicated that minority enrollment would probably be lower next year.

The special admissions policy allows the law school to offer admission to blacks, Chicanos, American Indians and Puerto Rican Americans (from the U.S. mainland), with qualifications slightly below those used as cutoffs or standards for other groups. Stillwagon emphasized that students admitted under the program still have very high qualifications, and are considered to have equal chances of successful completion of law school.

Stillwagon's reluctance to take credit for a banner year of minority recruitment stems in part from the faculty's special admissions policy. As approved in 1975, it states that the goal is to have "a number of qualified members from (minority) groups equal to at least 10-12 percent of the entire class."

IT ALSO STATES "an increase in the program's goal from 10-12 percent to 15 percent cannot be justified in terms of our current admissions experience. On the basis of that experience it appears that if we admitted an additional three to five percent of special admissions students, many of them are likely to encounter serious academic difficulties."

In effect, the 10-12 percent figure is a minimum goal—unless the special admissions procedure is invoked. At that point the faculty policy states, "the admissions officer will not interpret the 10-12 percent goal as requiring admissions of a fixed minimum number of minority applicants, but as an approximation of the number of minority applicants that should be admitted if the objectives of the program are to be met." The 10-12 percent figure then acts as an upper limit in such cases.

"I can't write the book myself," Stillwagon said.

THE PROBLEM HE faces is that although minorities were a record portion of the first year class in 1984, applications from those groups are down an estimated ten percent this year. With a smaller pool, the number of minority students who eventually accept may be smaller than last year, and Stillwagon said the negative publicity of any drop in minority enrollment would probably outweigh the benefit of this year's record high.

At the same time, he must try to avoid exceeding the 12 percent figure, if any special admissions are offered.

Grades Scramble Wracks RG Staff

The Res Gestae

Vol. 33, No. 21 | The University of Michigan Law School | April 10, 1985

Photo By Tom Morris

Sharon Beckman

Law Review Editor Talks On Politics, Feminism

Sharon Beckman is the new editor in chief of the Law Review. Sharon, former Harvard undergrad, law clerk, and internationally ranked distance swimmer, took time out of her hectic day to talk with our own RG Wax Editor Vern Brown about her views on politics, law, and her personal life.

RG: Sharon, how is the editor of the law review selected?

SB: The outgoing editorial board, 18 people, select the new editor in chief, who then joins the board for the selection of the rest of the staff.

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BLSA, HLSA Help to Recruit

By Steve Hunter
and Bruce Vielmetti

When the law school first adopted a special admissions policy in 1966, no one thought affirmative action would be a topic twenty years later. Everyone figured that by now, representative minority enrollment would just happen.

But it doesn't. The law school, its students and alumni must recruit minority students both before and after they apply. Two questions remain: which efforts are most successful, and are any of them enough?

"Olivia (Birdsell) and I and the faculty and the students hit roughly 50 or 60 schools and ten law fairs a year," said Allen Stillwagon, law school admissions officer. He added that the law school writes to every qualified minority law school applicant in the U.S., inviting them to apply at Michigan.

IN ADDITION, THE law school benefits somewhat from national efforts by the Law School Admissions Council (LSAC). "Most law schools have recruited vigorously during the past ten years without conspicuous success," Stillwagon said, "so the LSAC established a national recruiting program in 1981, and is continuing to support radio, television and newspaper campaigns aimed at minorities, and to providing funding to schools at which new retention programs are to be tried."

One very successful method is that employed by the Hispanic Law Students Association and the Black Law Students' Association. A third-year member of both HLSA and BLSA help the admissions office review minority applications and make recommendations in an advisory capacity.

The HLSA and BLSA recruiting committees also call every black or hispanic student who is offered admission, and urge them to accept at Michigan. The admissions office provides phone access for this task.

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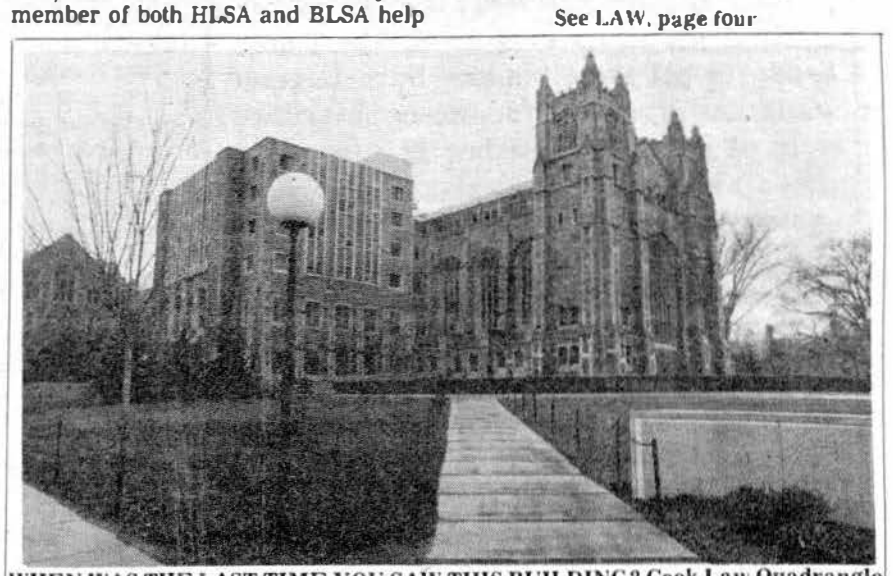

WHEN WAS THE LAST TIME YOU SAW THIS BUILDING? Cook Law Quadrangle as seen from Monroe Street.

Photo By Tom Morris

Review Seeks Minorities, But Bakke Limits Search

By Andrea Lodahl

The new Michigan Law Review editorial board has decided to reform its affirmative action policy for 1986-87 staff selection. The new policy resembles those at other major law schools, emphasizing that "factors" including but not limited to minority group membership will be considered in evaluating candidates for affirmative action.

The old policy, which has enjoyed very modest success in gaining minority participation on the Review, provided for two places for minority candidates who scored in the top half on the writing competition, regardless of grades. However, there was also a "set-off" provision such that minority participation achieved through the regular process would prevent resort to the affirmative action policy. If one minority member graded on, for example, then only one affirmative action opportunity would remain available.

SEVERAL ALTERNATIVES were proposed for reforming the policy, and the result was hashed out at a meeting last Thursday. Participants said that the new staff was very committed to doing something to improve minority participation on the *Review*, but that there was concern about staying within the bounds of Bakke decision to avoid

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The Res Gestae

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Trashing the F.Supps

Times are hard all over, and Our Leader keeps telling us about private philanthropy. So why, when a new set of Federal Supplements was donated to the Library, did they throw away the old, perfectly serviceable set?

A student who saw the books being trashed went to the Library administration about it, only to be treated to an explanation that the Law School isn't in the business of donating things. When the student asked why the series wasn't given to Jackson Prison or Legal Services, no real answer was forthcoming.

There are plenty of small law offices and political organizations who would have been happy to get those books. Such flagrant waste and disregard for the impoverished state of public interest law ill becomes a state law school. Michigan does little enough for Michigan's poor—is it asking so much to let public interest organizations at least have first crack at the garbage?

The Library claims that donating things is often "more complicated than it sounds," and we're sure that's true. The Library apparently used its normal buyers to try to find a home for the books, but no buyer was located. We still question whether the next step should have been the garbage heap.

It's often hard to remember, when you're a rich organization, that some people must operate with only the most marginal tools. Prisoners at Jackson can't come down to Ann Arbor to marvel at the architectural grandeur of the new wing. Our refuse could help them understand their cases and their prospects better, and gain more control over their situations.

We hope that the next time the Library is plagued by such inconvenient clutter, they'll call the National Lawyers' Guild or somebody and give them a day to find a taker before an extremely expensive set of volumes becomes landfill.

Letters

Kopel Blames the Victim

To the Editor:

David Kopel's editorial of March 20, 1985 ("Unconstitutional, Heterophobic, Dangerous") articulately turned reality on its head. Dworkin and Mackinnon, who are struggling to assert the rights of women in a society characterized by violence toward women, are accused of being heterophobic. Kopel claims that it is "preposterous", "paranoid", and "ridiculous" for women to fear and possibly hate that class which has for centuries oppressed them. Kopel ridicules women who hate those who systematically have beaten, raped, and exploited them. What is really absurd is for a beneficiary of this system to paternalistically tell victims that they are too extreme in their reactions.

Women are the victims of systematic violence which is condoned by the state. Much of this violence, particularly domestic violence, is almost immune to legal sanction. Women always have to think about their personal safety when they venture out of the house, or be accused of naivete. Men, who are "at home" in the world about them, do not have this constant companion of fear. As Kopel notes, women are also victims of economic oppression. Women earn less than sixty cents for every dollar that men earn. Elderly women suffer disproportionately from poverty. This systematic devaluation of women is a form of "apartheid" that cannot be blamed on a "few bad men." Just as structural racism can only be explained by white acceptance of black subjugation, so must the subjugation of women be understood in terms of the attitudes and actions of men as a class. It is not a little ironic that in the face of the structural hatred of women by men, Kopel is concerned about men being the victims of heterophobia.

It is not paranoid for women, when faced by this oppression, to feel a "rage" against men. As the old saying goes, I'm not paranoid if someone is really following me. Further, even if one thinks rage or hatred are a bit extreme, they certainly are not preposterous or ridiculous in the face of the economic and physical attacks suffered by women. Our very own misogynist society reveals its nature by requiring that women be paranoid if they are to get any legal protection. The woman who strikes up a conversation in a bar with a stranger, hitch-hikes, or goes on a walk alone at night, and then is raped, is told that it was her own fault. The "flirt" at the bar just asked for it, and the hitch-hiker and pedestrian were just plain stupid. Or in other words, the victim just was not paranoid enough. "Good girls" are supposed to be paranoid; and its the "good girls" that get whatever limited legal protection that society offers women.

It is unfortunate but common to see those who struggle against oppression labelled as "unreasonable" by precisely those who benefit from the oppression. The conservative describes state terrorism as law and order, and revolutionary action as irrational terrorism. The liberal, while professing solidarity with the goals of the oppressed, wants the oppressed to be "reasonable." Or in other words, "I'll be happy to go along with some humanistic reforms, but don't rock the boat that I benefit from." Martin Luther King learned this lesson when white "liberals" deserted him in droves when he came out against the Vietnam war and attacked U.S. imperialism and capitalism. I presume that Kopel is advocating a "love th enemy policy"; I wonder if he would make that same argument to blacks in South Africa.

Dworkin is correct when she says that men generally fear intelligence in women. But even more, men fear women who identify and resist a central feature of this society: woman-hating.

Chris Bell

To Loan Forgive Is Divine

To the Editor:

When you pick up your copy of the R.G. this week, before you turn to the editorial defending Bernard Goetz on the grounds that his victims were raised free-range, please take a moment to sign the petition calling for a loan support program here at Michigan Law School.

Loan support (or forgiveness) would allow many more graduates of this institution to enter low-paid legal careers. Debt burdens of $25,000 (the average for Michigan graduates) obviously greatly restrict our options. Loan forgiveness programs in place at Stanford, Northwestern, and Columbia, and modified programs at Harvard, Yale, and N.Y.U. already allow more of their graduates to do the type of work they want to do.

Briefly, under these programs, if a graduate goes into a low-paying legal job and stays there for several years, the law school will begin to pay a small percentage of her or his outstanding loans The longer the graduate remains in low-paying work, the larger the percentage becomes. There is no "political correctness" test for the work: Legal Services and the Right-to-Work Foundation are both potentially covered.

Law students are required to borrow far more than most other students solely on the assumption that we will all make lots of money, and will be able to pay off the debts relatively easily. For some of us this will be true; however, I'm sure we can all agree that there are legal careers out there that are both very worthwhile and very low-paying. High debt levels based on these assumptions act as an insurmountable barrier to many students.

Check out the details, available with the petition. Loan forgiveness is not a free ride, or a windfall for a minority of students, as the Feggs of the world would have it. In fact, it broadens the opportunities for all of us, to do work we feel is important with repayment schedules fitted to our actual incomes. And yes, it will allow more people to do legal work which, by anyone's definition, is in the public interest. Please sign the petition.

Joe Slater, 2L

Goodbye to all this

This is it—the RG staff was sitting around comparing notes the other day and we realized we'd only read one casebook among six of us. We're a little worried—you still have to land on the P side of p/F, and all that. So goodbye and have fun and profitable summers, and if you find yourself pining away for libel and slander remember there's the Raw Review featuring many of your favorite (sic) authors from this publication. . . . . And don't forget the RG recruiting party, featuring FREE BEER, this Friday at 3:30 in 408 Hutchins Hall.

Gun 'Prohibition' Is Useless

By Jack Henneman

It is fashionable among the educated elite in this country to advocate a national ban on the civilian ownership of handguns. The most common proposal envisions a federal permit requirement similar to that in New York City, where only those who demonstrate a "unique need" for self-defense may legally carry a handgun. Most of the exhortatory literature on handgun prohibition assumes that obstacles to enforcement will be trivial, and that all we need is the raw political muscle to impose a ban. An examination of the assumptions that underpin even a "best case" prohibition scenario, however, point to enforcement problems that dwarf our struggle with illegal drugs and are strikingly reminiscent of those that emerged in the war against bootlegging in the 1920's. Most of the information in this essay is compiled in *Firearms and Violence,* Don B. Kates, Jr., editor, 1984, pp. 139-165.

Estimates of the number of handguns within the United States vary considerably, but the best number is about 50 million. If the Federal Government followed the New York pattern, no permits would issue for more than 99% of these. With the exception of the prohibition of alcohol, there has never been a federal attempt to eradicate so popular a commodity. Neither marijuana nor cocaine were nearly as widely accepted when Congress controlled them as the handgun is today. The similarities between the two problems do not end with magnitude, however. This essay will touch upon several arguments, original elsewhere, that apply the lessons of the Great Experiment to a federal prohibition of handguns.

After over seven decades of an almost total handgun ban in New York City, the cops still put the number of extant illegal weapons at two million.

First, the extent to which the justifications for alcohol and handgun prohibition turn upon statistics that purport to demonstrate that one or the other causes violence and/or mortality is remarkable.

According to the FBI's *Uniform Crime Reports,* handguns have beeninvolved in up to 50% of all murders, alcohol in up to 86% of all murders. Robbers use firearms, overwhelmingly handguns, 41% of the time; they drink 72% of the time. Rapists use firearms, again principally handguns, 5 to 12 percent of the time, though they drink 50% of the time. Furthermore, prohibitionists of either stripe offer roughly similar "causative" theories. It is argued, for instance, that drinking and carrying a weapon both alter the psyche toward violent behavior.

The problem with such statistics is that their exclusive focus on criminal behavior distorts their significance. If we examine all "heavy-drinkers" and all handgun owners, we see that the relationship to crime becomes insignificant. It is apparent, for example, that less than 1 in 5,400 (0.018%) handguns are used to murder; the proportion of heavy drinkers who murder is also very small, about .08%. Thus, if there is any genuine causation, it must exist only among a miniscule proportion of handgun owners or heavy drinkers. Most killings are not, therefore, perpetrated by the average noncriminal handgun owner, whose willingness to obey the law (prohibitionists contend) will induce him to give up handguns in response to a ban.

Space precludes a detailed comparison of accidental death rates, but handguns rarely take more than 250 unintended lives annually. In light of the slaughter on the highways and in the workplace arising from alcohol, the "life-saving" argument for banning handguns is no more compelling than the case for prohibition.

Second, it is not at all clear that any more people will voluntarily comply with a handgun ban than with a prohibition of alcohol. We may divide gun owners into three categories: sport/collection, protection (at 50 percent) and criminal. Similarly, drinkers might make up three subgroups: moderate/social, heavy, and alcoholic. It seems intuitively reasonable to suppose that sport/collection gun owners will have a greater rate of voluntary compliance with a ban than moderate/social drinkers during Prohibition, if only because a sportsman shooting target practice has much greater visibility than the casual imbiber.

Among the other categories of handgun owners and drinkers, the incentive for violation is not pleasure but necessity or perceived necessity. Alcoholics have a physical dependency, heavy drinkers have a psychological dependency, and protection owners of handguns believe that their weapon vitally protects the physical safety of themselves and those they love, whether or not handguns in fact so serve. Weighing the incentives against the risk of detection and punishment, a handgun ban seems no more likely to elicit voluntary compliance than Prohibition. During the 1920s heavy drinkers had to obtain a continuous succession of new suppliers, each time running some risk of detection. A handgun, however, need only be purchased once, and so the exposure is that much less. If the prospective noncompliant already owned one of the 50 million or so extant handguns, she would run no real risk of detection.

Third, there are reasons to suspect that a handgun ban would not be viewed by the populace as legitimate, and, as with Prohibition, compliance would collapse. Most people, for instance, believe that the Second Amendment protects the individual's right to bear arms, whether or not the Supreme Court so rules (for a comprehensive treatment of Second Amendment history and interpretation, see *82 Mich.L.Rev. 204).*

Much more important to the public acceptance of a ban on handguns will be the effect of such a ban on perceptions of equality in American society. I have written in this space before of the grossly inequitable distribution of police power in most of our nation's cities. Governments, beholden to the politically influential wealthy, channel crime into urban backwaters where the police no longer patrol. How fair is it then to prohibit those who we refuse to protect the right to protect themselves?

The allocation of scarce permits will gall the average person even further. In New York, where the *Times* has consistently editorialized that handguns serve no valid defensive purpose, its publisher, Arthur Ochs Sulzberger, is one of the tiny number of civilians allowed to pack a piece. Other gun control advocates issued permits to carry handguns included Nelson, David, Winthrop, and John Jay Rockefeller, and John Lindsay. The rest of the list reads like the *Social Register,* and includes the husband of Dr. Joyce Brothers, she having often argued that firearms ownership is indicative of male sexual inadequacy or dysfunction. Such revelations undermine the perceived legitimacy of ownership restrictions just as they reinforce the perceived need for having a gun for protection.

Governments, beholden to the politically influential wealthy, channel crime into urban backwaters where the police no longer patrol.

Fourth, handguns are both durable and easy to manufacture, which will make them much more difficult to control than alcohol. Stocks of liquor hoarded before Prohibition were eventually consumed, and drinkers had to create more. Each of the 50 million handguns currently in circulation will remain there until removed voluntarily by a possessor or coercively by the state.

It will take a Herculean effort to make a dent in the nation's stock of handguns. The previous discussion suggests that there may be a substantial failure of voluntary compliance with a ban. After over seven decades of an almost total handgun ban in New York City, the cops still put the number of extant illegal weapons at two million. The ratio of handguns to population in New York is 1 to 3.5, and in the rest of the country it is only 1 to 5. Moreover, New York is more heavily policed, with about 4 police per 1000 compared to a national average of 2.5 police per thousand and a big-city average of 3.4 police per 1000.

It is often suggested that New York's experience suggests nothing more than the need for a national ban. Geographical expansion, however, merely extends the enforcement to areas less thoroughly policed and stretches the exposed border to 12,000 miles. If the Federal Government cannot prevent 1 million immigrants or 10,000 metric tons of pot from crossing our borders, how is it going to stop handgun smuggling? If handguns were imported at the same volume as marijuana, approximately 20 million of the size used to slay John Lennon would enter the country each year. Of course, with handguns virtually unrestricted in 44 states, Americans only purchase about 2.5 million annually.

Even if we could prevent a flood of imports, domestic manufacture would be outrageously simple. Freed from government taxation, regulation and record-keeping requirements, handguns could be produced in thousands of home machine shops around the country for between two and five dollars each. There are in almost any bookstore manuals that describe exactly how to make weapons of any variety at home, and presumably the First Amendment protects them from prior restraint. It is possible, in fact, that the Prohibition experience of declining liquor prices will repeat itself with weapons, as handguns of inferior quality engorge a market starved for new supplies of safe and accurate firearms.

There are those who will argue that it does not matter that gun control will not work perfectly, as long as it achieves some reduction in violence. Such people usually want to eradicate what they call the "gun culture." It is not clear, however, that the gun culture is utterly without value. The control of firearms touches the center of American values with an intensity that most university-educated professionals perhaps do not fully understand. B. Bruce-Briggs put it best *(Public Interest 45):*

"A sort of low grade war is going on between two alternative views of what America is and ought to be. On the one side are those who take bourgeois Europe as a model of a civilized society: A society just, equitable, and democratic, but well ordered, with the lines of responsibility and authority clearly drawn, and with decisions made rationally and correctly by intelligent men for the entire nation. To such people, hunting is atavistic, personal violence is shameful, and uncontrolled gun ownership is a blot on civilization.

"On the other side is a group of people who do not tend to be especially articulate or literate, and whose world view is rarely expressed in print. Their model is that of the independent frontiersman who takes care of himself and his family with no interference from the state. They are "conservative" in the sense that they cling to America's unique premodern tradition—a non-feudal society with a sort of medieval liberty writ large for Everyman."

It may be true that a ban on handguns would reduce violence a little bit, however much the burdens of that violence would shift from criminal to innocent, rich to poor. On the other hand, perhaps the price is too high. I do not want to give the police yet another reason to search me, my car, or my house, and I do not want to punish otherwise law-abiding people who carry a handgun because they are petrified, forced to live in places their government won't police. If the Prohibition of alcohol taught us anything at all, it is that the removal of handguns from America will be virtually impossible and probably undesirable.

Law Minorities Seek Increased Enrollment

from page one

"I DIDN'T SEE any recruiting from the U-M," said first year Eddie Juarez. "After I got accepted, I got a phone call from Rob (Valdespino). He was calling me persistently last year."

The groups also have budgets of $1,200 for recruiting across the country. However, HLSA admissions committee chairman Roberto Valdespino feels the money isn't quite adequate. He said he entertained many prospective law students who came to visit the campus last year.

"They stayed at my house, we really gave them the grand tour," he said, but added that "last year all of it came out of my pocket, except for phone calls, not even out of HLSA funds. It was all from individuals."

BLSA ADMISSIONS COMMITTEE chairperson DaVida Rice echoed Valdespino, and explained that $1,200 doesn't go too far when you're recruiting all around the country, and traveling by air.

"In the past people have attempted to recruit when they've gone on flybacks," Rice said, "which is a pain."

"A lot of us do it when we go home and when we're on flybacks," Valdespino agreed.

"BLSA BEARS THE brunt of black recruiting," Rice said. "Stillwagon goes all around the country too, but I don't think that's the best way to reach minority students. I don't think be's as attractive a representative in the minority students' eyes as a minority student would be."

Valdespino also expressed concern that the student groups may be expected to do more than time and resources realistically allow.

"They've thrown the responsibility almost entirely on students," Rice said. "We're almost doomed to fail because we don't have the resources." Rice added that steps should be taken to reform the system. "Either you allocate more money for recruitment or do something internally," Rice said. She also suggested the admissions should consider adding a minority recruiter staff.

Rice explained that she empathized with Stillwagon, who reads about 6,000 applications a year, but added, "I seriously doubt his ability to remain objective.

There is an official admissions committee, composed of three faculty members and three students, but it has only met once this year.

"I WOULD LIKE to see an actual admissions committee," Rice said, adding she would like to see more supervision of the actual admission process.

"The admissions committee is a committee of one," said Valdespino, "and that's Stillwagon."

Stillwagon acknowledged the worth of the recruiting efforts of HLSA and BLSA, but expressed the opinion that money is still the best recruiter of all in that more financial aid usually means greater minority enrollment.

Financial Aid for Summer

By Bruce Vielmetti

Law students seeking public interest jobs this summer got a major boost from the University this year in the form of a return to full-time work-study funding.

Since 1981, work-study money allocated through the U-M financial aid office was available only to students who were enrolled for credit, thus leaving otherwise eligible law students unable to receive any aid for full-time summer employment.

But a drive led by third-years Steve Wollock and Bob Schiff, along with the law school Financial Aid Office, convinced Harvey Gotrian, director of U-M's Financial Aid Office, to allow full-time work-study funding for law students with summer jobs at non-profit organizations.

Sandy Whitesell, director of the law school's Financial Aid Office, said the plan will pay 75 percent of a student's summer wages, when participating public interest employers pay the other quarter. She said $20,000 is available for this summer, and by SFF standards, could support up to ten law students (based on $1500-2000 per student).

SFF uses its application and selection procedures to direct students to the funds, Whitesell said. The SFF interest stems from a $10,000 grant the student organization made to match the work study money offered by the University.

Although Whitesell called the full-time work-study funding "experimental," Gotrian said it was "temporary only in that if something happens to our allocation, priorities would have to be shifted back to the support of full-time enrolled degree students."

Thls year only law students are eligible for full-time work-study funding, but Gotrian said if things go well here, the method could return to help students in other sectors of the university.

Whitesell said that after the SFF board completes its first review of applicants for fellowships, those students still in contention would consult with her to help determine who among them might be eligible for the work-study funding. The more students who can take advantage of that aid, she said, the farther SFF can stretch its pledge money to support others with fellowships.

"The only sad thing is," Whitesell said, "is it's happening too late. Word about full-time work-study isn't filtering through the ranks that quickly." She pointed out that a student must file a GAPSFAS form, which can take five weeks to be processed.

SFF board member Schiff said the SFF's contribution might actually vary some from the $10,000 figure, because that organization will actually be making up the difference of some employers who can't meet the whole 75:25 portion.

Schiff also said that all initial SFF grants would be made without regard to a recipient's eligibility for the full-time work-study funding. If such money later becomes available, the SFF grant would in effect be withdrawn and redistributed to other, wait-listed SFF applicants, Schiff said.

More than 35 students applied for SFF fellowships this year.

Diversion Research Urged

By Jim Komie

Imagine a great pipeline of water running from Lake Michigan to the arid wastelands of New Mexico, or cowboys watering their Texas-sized lawns with our beautiful midwestern water.

This is not pure fancy. Diversion of Great Lakes water is a hot issue these days and the Environmental Law Society sponsored a symposium last Wednesday on the subject. People packed Room 100 to see a discussion by a panel including Professor Joseph Sax, David Miller, Director of Great Lakes United, and Donald Smith, a geologist with the Texas Department of Water Resources.

The panel seemed to agree that diversion to the Southwest is a minor threat, that the real problem involves either Illinois or Indiana tapping the Great Lakes to irrigate their southern cornfields.

MICHIGAN IS entirely within the Great Lakes Basin, whereas Illinois has only "about two blocks of Chicago within the watershed," as David Miller put it. So a diversion, which Illinois is entirely capable of, would affect Michigan much more than Illinois.

Because of thls problem, Professor Sax emphasized the importance of keeping negotiations within the region. If a state like Illinois went to the Supreme Court, it would almost certainly win the right to divert. Sax says the realization that this is "not just a problem between the Great Lakes states and distant regions, but of consumptive uses here," is a great step forward.

Sax represented Michigan at a conference of the Great Lakes states and two Canadian provinces that resulted in the Great Lakes Charter, a document drafted with an eye toward stewardship of the lakes and basin-wide cooperation toward research on the effects of diversion.

AS FOR DIVERSION to the Southwest, Sax said there is probably very little we could do about it. If the issue went before the Supreme Court, it would be a "big, big question mark" as to what the Supreme Court would do. Sax praised the charter as a good first step that would provide a foundation for research about the impact of diversion. Such information would put the region in the "best position" possible to deal with a diversion attempt.

But Donald Smith, a panelist from Texas, made the whole issue of diversion to the Southwest seem moot. He said, "We can't afford the water—no way," and further pointed out that the most plentiful water resource is underground water.

Still, if the technology improves and costs go down, it seems that the Great Lakes region is ready to deal with any attempts to turn Lake Superior into a pond.

NCAA Winners Are. . .

By Tom Flanigan
and Steve Hunter

Well folks, it's all over except for the lyin' and the cryin', (e.g. "I knew Villanova would win" or "I bet my tuition money on Georgetown"). And in grand RG style we have firmly concluded the number one basketball prognosticator in the law school is either Martin Karo or Carrie Seymour.

Marty "the mad man" Karo, you'll remember, bad 29 of 32 in the first round, but Carrie "the Cleveland Kid" Seymour (a wily third year), fought her way back to a tie. The final results were:

1. Karo 85 points
2. Seymour 85 points
3. Marvin Rau 84 points (tough break Marv)
4. Mark Toljanic 82 points
5. Randall Thomas Peterhaus 82 points
6. Diane "but I was in the lead" Aylworth 82 points
7. Jack Henneman 81 points

216. Kent K. Matsumoto 35 points

PRIZE: To each of the winners, a $10 gift certificate to the Cottage Inn. Runners-up will have odes to them composed during RG debauch after pasteup. Winners call Andrea, 662-6454. Thanks to Tom for a good job.

Lights Out: Rm.100 Exams

By Kate O'Neal

Taking the exam for Professor Kahn's Tax I course is enough to strike terror in the hearts of even the most fearless of law students. But imagine this scenario: in the middle of the problem section, amidst the volumes of the Internal Revenue Code, your solar-powered calculator fails to work, not because it needs batteries (which of course it wouldn't) but because the room is too dark to activate the photo cells. Sound like a nightmare? Well, that is exactly what happened to Sheryl Moody last December in Room 100.

Fortunately for the rest of us, Room 100's dim should no longer put a strain on our eyes or our calculators. Largely in response to Moody's complaints, Kris Munroe and Dean Eklund have managed to schedule this semester's exams without using Room 100 at all.

Complaints about the lighting problem in Room 100 aren't new. The room has often been used for exams, primarily because it will accomodate large classes. Last semester it was used twelve times for finals.

Scheduling around Room 100 was a fairly easy stop-gap measure, Munroe said. While the administration has been aware of the poor lighting, nothing bas been done because of tentative plans to remodel the room completely. It doesn't make sense, she said, to tear up the room once to install new lights and then tear it up again to install new desks or carpeting. However, according to Henrietta Slote, no definite plans have been made yet regarding remodelling. The existing light fixtures are using as high wattage bulbs as possible.

"Because it would be expensive and time-consuming to change to problem with the lights, not using the room for exams seemed a way to be responsive to student needs in the immediate sense," Munroe explained. It really was not very difficult to accomplish: all it entailed was splitting up the larger classes into two exam rooms. The only difference, Munroe added, would be in proctoring, but it might only mean that some of the law school secretaries would have to proctor three instead of two exams this term.

Review Editor Airs Views On Life

from page one

RG: How were you selected, was it your grades?

SB: Not at all. Grades only count when you first get on. The main criteria are writing and managing skills, and a dedication to putting out a good publication. At this school, only the EIC and the managing editor know everyones first year grades. Which makes for a lot less snobbery between those who got on for grades and those who got on for writing.

RG: How do you feel about the selection process for the law review in general?

SB: The whole idea here is that writing and grades are equally important. I think that's good, so that people who are careful thinkers can have a chance even though they might not be fast enough to do as well on exams.

RG: How do you respond to the charge that people on the law review and the law review itself is elitist?

SB: The law review is not an abstract entity. I have a hard time thinking of this as elitist because we have seventy-five individuals here who are mostly interested in publishing the review. I guess its about as elitist as anything else that everyone in the world doesn't get to do. Maybe there should be other criteria for people on the law review, but its hard to think of new criteria that would select people who are dedicated, creative thinkers and careful writers.

RG: Where are you politically?

SB: Let me put it this way. I think there are lots of ways we can really change the political structure. I think power in society should be more fairly shared and re-allocated somehow.

RG: Do you think your political views will influence your work as editor of the law review?

SB: Look, anyone who says that their politics don't influence their work is just not honest. But I select articles with four article editors who have their own political views.

RG: Are you a feminist?

SB: I have a very strong commitment to feminism and feminist political goals. I am a feminist.

RG: What about comparable worth?

SB: I haven't heard anyone else come up with as good an idea to get to the problem of wage differentials between men and women, especially in sex segregated jobs.

RG: Was the law review a goal for you when you started here?

SB: Are you kidding? I got rejected by every single law school I applied to my first time. Then I took a Stanley Kaplan and raised my LSAT score from about 640 to 740 and suddenly everyone but Harvard let me in.

RG: What is your daily routine like now?

SB: I get up every morning at 5:30 and go swimming with a group of Master Swimmers. Then eat, then morning classes, than eat again, then law review all afternoon.

RG: What is an open water swim?

SB: An open water swim is a long distance swim. I swam the English Channel, I swam around Atlantic City, things like that. My longest swim was 32 miles in a lake in Canada.

RG: What is so great about long distance swimming?

SB: I am not a competitive person, but I do demand a lot from myself. I find competition very destructive and not at all enjoyable. In distance swimming, I am only going against myself. I like doing things where nothing anyone else does will affect my performance.

Econ to Law: Love At First Cite

Judith Lachman

Professor Judith A. Lachman is an assistant professor at the University of Wisconsin Law School. While in graduate school in economics, Lachman worked as a researcher for Ralph Nader's task force on Congress, where her work included an investigation of the Labor Committees' oversight of the NLRB.

Professor Lachman was interviewed for the **RG** *by Ann Sulzberg.*

RG: After receiving a Ph.D. in economics, why did you choose to go to law school?

JL: Actually, for people who do law and social science research, like me, the question is often upside down from that. Most people I know doing law-related research have either decided to go to law school or decided not to, but few have failed to think about it. So the question becomes, how did you decide not to go to law school? For me, the question arose right here in Ann Arbor, while I was here for a year in my economist role. For each research project I worked on, I'd talk with colleagues in the law school, who would give me long reading lists in the relevant area of law. The reading was enjoyable and helpful, but I began to realize that I was trying to put together a mosaic by just seeing little pieces here and there. I decided that it would be great fun to see the whole picture, so I applied and then waited to see what would happen.

When I went to law school, I thought I would probably end up doing research in areas I had worked in before, only do it better, and it's true that I've retained many of those earlier interests. But I also had the delightful surprise of finding all kinds of new and wonderful things in law, wholly apart from what I knew about before. I took a first amendment course one term when I was looking for a small class that met in the late afternoon, and then fell in love with the subject. I'm now doing a couple of projects in that area.

RG: What were the types of projects you worked on as an economist?

JL: My interests there began with labor economics, especially bargaining relationships in the labor-management context. Transferring that kind of analysis to the study of legal disputes, I wrote my dissertation on plea bargaining, using data from the Recorders Court in Detroit. I was looking at how bargains come out relative to the starting positions of the defendant and prosecution, and what the role of the evidentiary factors was in determining the negotiated outcome. I began some research on medical malpractice, both analysis of the outcome of disputes and also an analysis of medical accidents as industrial accidents.

RG: What do you see as the application of economic analysis in addressing legal issues?

JL: I think there are several different ways in which economics relates to law. The relationship is obvious in some areas such as antitrust, where economic concepts have been written right into the law, and in other areas such as antidiscrimination law, where the use of statistical evidence affects procedure. That is, for people to do practical, litigation-oriented things, simply to be able to state the facts of a case may require economic knowledge. A second way economics can relate to law is by providing information on conditions previous to the adoption of a statute or judicial policy, analyzing the way people might respond to particular incentives. The question of the deterrent effect of a death penalty is that kind of question. A third way the field interrelate is in the study of judicial and enforcement institutions, so that we can better understand processes of jury decisionmaking, the behavior of administrative agencies, plea bargaining, and other institutional processes. Finally, economics and other theoretical approaches can provide frameworks within which we can analyze and better understand the law. For example, Guido Calabresi's work suggests that judge and jury decisions are consistent with concern for the costs of accidents and the costs of avoiding accidents. We can understand legal rules and decisions better by reference to that theory; although we might understand them sometimes anyway, we wouldn't understand them as well if it weren't for this economic perspective.

RG: Have you used economic analysis in conducting your classes?

JL: Probably the experts on that are my students, who see it on the receiving end. I think economics often gives one a shorthand way of characterizing a body of law or set of legal rules, but it is not a substitute for understanding the cases themselves; it gives one a perspective, but it can't give you the rule itself. What I try to do in my torts class is to talk about the substantive law on its own terms and then bring this in to say, this is one way to look at it, a sort of easy way to make seemingly disparate results come together and make sense. I think it's important also to be aware of certain theoretical developments because they affect the outcomes of day-to-day litigation. The recent growth of medical malpractice and product liability in torts—as well as recent laws and proposals for legislation there—are more easily understood in terms of the tensions among social goals of compensation, loss spreading and so forth.

The same would be true in tax, where I enjoy, as a labor economist, looking at questions of what is work and what is pay. I think it helps to have some understanding about how decisions are made within a business and by individuals—for example, when we take a look at how wages, in-kind compensation, company picnics and other things fit together for a business, and how they are tested for tax purposes. The tax law is used to raise revenue but also to accomplish other social goals, such as encouraging people to save for retirement, or to invest earlier in new plant and equipment. Again, it helps to understand the theory behind the law—for example, how Congress hoped people would respond—in order to interpret the statute, regulations, and decisions. Stepping back to look at the law from a different theoretical perspective, I think some of the patterns in the law and its enforcement can be understood in terms of the Treasury's interest in increased revenue, which often puts it into "partnership" with the taxpayer. When it comes to many business expenses, for example, if the taxpayer spends money on advertising and that gives a big boost to profits, the Treasury gains as well; so the taxpayer's interests align with those of the IRS.

RG: What are some of the areas in which you are currently doing research?

JL: One project I've just begun is what I call "a portrait of the family as depicted by the Internal Revenue

See LACHMAN, page six

Lachman: Economist's Eye View on Law

from page five

Code." As you might expect, it has twenty-seven arms, twelve legs, and so forth. The simple sketch I begin with is not very scientific: mother, father, son, daughter, home, dog and cat. So far, I've been looking at the image of the home, which is not one but many images depending on whether you focus on the house whose mortgage interest is deductible or the home you're away from while traveling, or another vision of the home. One theory I have and want to check out is that the tax law's portrait of the family is really a multiple-exposure result of pictures taken at different times in the history of the family.

A second project is one on freedom of speech. I had been trying to figure out how to characterize the differences among the standards that had been adopted at various times as the boundaries of permissible speech—incitement, clear and present danger, Judge Hand's "discounted clear and present danger test" and others. I came to think that the problem of the boundaries of speech, as well as the differences among these standards, turned on issues of uncertainty about harm the speech might cause. Speakers, judges, and legislatures necessarily are making decisions about speech before the speech occurs, and so they don't really know what harm will ensue. The harm could be reputational injury, or a biased jury, or a national security secret that gets out. Allowing the speech is therefore risky, but not allowing speech is harmful too. Considering this as a problem of decisionmaking under uncertainty, I'm trying to take some of the work that's been done in economics on uncertainty and use it to analyze these problems about freedom of speech. For example, I think that the change in the law signalled by New York Times v. Sullivan can be analyzed as a change in the public attitude toward risk: this changed from saying, we will protect reputation--saying that we will be risk averse with respect to reputational injury—to exactly flipping that over and saying we will be risk averse with respect to the harm from stopping speech.

RG: How have you enjoyed Ann Arbor?

JL: I love it. This is the third time I have lived here. The first time I can't remember well because I was two years old, when my father was in graduate school here. There are great pictures of him riding across campus with me in his bicycle basket. And then I was here for the 1977-78 school year in my economist life. So it's fun to be back. I've very much enjoyed being at the law school. I think the students are terrific. Teaching is a lot of fun because of the thoughtful questions and the interest in class. I enjoy the students' enthusiasm and their generosity in helping me feel at home here.

Committee Appointments

By Andrea Lodahl

The new Law School Student Senate met for the second time Monday. All Senators were present except Vice President Reggie Turner. Electees for the Senate positions were: Amy Lambert and Eric Hard for the contested third Year Rep. spot; Doug Monds and Sally Churchill for Second Year Rep: Elliot Dater as Board of Governors Rep; Lyn Placke as Secretary; Reggie Turner as Vice President; and Russell Smith as President.

Smith handed out orientation packets for the new Senators with the Senate Constitution and Bylaws, and asked that all members consider the budgeting and election procedures and make suggestions for changes. Committee memberships were the next item on Smith's agenda. The Senate appoints students to seven faculty-student committees and eight regular and two special Senate committees.

Applications will be taken for the committees and turned in before the Senate's last meeting.

In other business, the L. Hart Wright Award will be presented at the final L.S.S.S. Cocktail party, scheduled for the week of April 22.

Committee Positions

The LSSS is taking applications for the following committees:

Faculty-Student Committees	*LSSS Standing and Ad Hoc Committees*
Academic Standards	Speakers
Disciplinary	ABA/LSD
Admissions	Residential
Faculty Hiring	Elections
Curriculum	Sports
Financial Aid	Placement
Faculty Meeting Representative	Faculty Search
	Social

Applications will be available on the Senate office door (Room 217 HH) April 11, and will be due April 17. Committee descriptions are also available at the LSSS office. Get involved!

Review Changes Policy

from page one

charges of reverse discrimination. The outcome was a policy that asks each applicant to write a fifty-word statement describing factors they feel should be taken into consideration in assessing them.

Hypothetically, then, a minority student applying to be on *Review* could have some confidence that affirmative action considerations would be applied to their case, although the policy also reportedly states in firm language that only applicants who demonstrate an ability to be on *Law Review*, presumably through their writing competition and perhaps considering grades also, will be accepted for staff positions. Another student who wrote a persuasive statement about growing up in Appalachia might also be given preferential treatment.

The choice of policies to adopt is usually made within the upper staff, but here a deadlock between several alternatives led to a full staff vote. Some members then expressed the belief that this policy would be "recognized for what it was," according to an anonymous report.

THE NEW POLICY has no set-off provision, which means the affirmative action will be considered over and above the minority candidates who are qualified under the usual procedures. The 50 percent cutoff for the writing competition was also dropped. It is hoped that the new policy in combination with the growing number of minority students in the Law School will lead to significantly more minority representation on *Law Review*.

Notices

LAW REVUE: This Saturday, at 7 p.m.!!! Lawyers' Club Lounge.

TRIAL PRACTICE—There will be 90 spaces available in the Trial Practice course offered over Spring Break during the Winter 1986 term. Evidence is a prerequisite for this course, and it cannot be taken concurrently.

SUMMER CLINIC—The National Lawyer's Guild Unemployment Benefits Clinic will be operating this summer. We would like to hire a person to staff the clinic for 20 hours a week. Duties would include setting up and maintaining office hours, representing clients at referee hearings, publicizing the clinic's activities, and improving the clinic's library. Pay is uncertain, but the position will pay at least $1000 dollars for a fifteen week, twenty hour per week position. People with experience handling unemployment cases are encouraged to apply, as are people who have had other clinical experience. If you are interested in interviewing for this job, call the N.L.G. office at: 763-2300, and leave a message for Jeremy Firestone. Applicants must leave message of their desire to interview for the job by April 9. A decision will be made by April 15.

LOAN EXIT INTERVIEW—Graduating law students who received National Direct Student Loans and/or Law School Loans while attending this School are required to attend an exit interview on April 17, 1985 in Room 250 Hutchins Hall from noon to 12:45. If you cannot attend, contact Student Loan Collections at 764-9281. If you received Guaranteed Student Loans or PLUS Loans ONLY, you need not attend this meeting.

1ST AND 2ND YEAR STUDENTS—Each year the Placement Office receives requests from many employers for a directory of student addresses, undergraduate majors, etc. In order to comply with this request, we need your help. Please fill out the Directory Questionnaire available outside Room 100 or in the Placement Office.

THE MICHIGAN LAW REVIEW seeks to hire student clerks to work over the summer. Duties will involve citechecking, proofreading, and administrative tasks. Positions are available for the entire summer and a 40 hour work week is envisioned.

Applicants will be asked to complete a 3-5 hour citechecking test and a personal interview. If hired, they will be compensated for the time spent completing the test. Applications are now available on sub-three in office S-380C. Completed tests should be returned by Friday, April 19. Interested students should contact James Dasso or Devin Schindler, S-380C, 764-0542.

LESBIAN AND GAY LAW STUDENTS PIZZA PARTY tentatively scheduled for Sunday night, April 14. Checks LGLS bulletin board for time, place, and other details.

CATHARINE MacKINNON, CO-AUTHOR of the controversial Minneapolis antipornography ordinance, will be speaking at the law school Friday, April 12th at 3:45 in room 150. Her talk is entitled "Anti-Pornography Ordinances: The Theory and the Politics." MacKinnon is also leading a discussion on feminist jurisprudence Friday night at 7:30. Those interested in participating should have read MacKinnon's articles on feminist jurisprudence from Signs (both are on reserve in the library), and should sign up on the WLSA bulletin board.

STUDENTS IN PROFESSOR Lempert's Evidence class can take the final exam on Wednesday, April 17 starting either at 2:30 p.m. in Room 100, or at 3:30 p.m. in Room 250.

PRECLASSIFICATION MATERIALS FOR COURSES FOR Summer 1985 and Fall 1985 are now available in the Records Office, Room 300 Hutchins. The deadline for course selection sign-up is 4:00 p.m., Thursday, April 18.

Arts

"Desperately Seeking Susan" A Winner

By Kim Cahill

DESPERATELY SEEKING SUSAN is not one of those movies that seem like little more than a montage of music videos ready to cut up by MTV. It is a funny, funky story about a bored New Jersey housewife who stumbles into a new life via the personal ads of a funky New York newspaper.

Rosanna Arquette is Roberta, the bored housewife who decides that something has to be more interesting than being married to the hot tub king of New Jersey. She lives a vicarious life through someone named Susan, who is often desperately sought by her various lovers via the personal column.

Roberta decides to go into New York City one afternoon to witness a rendezvous between Susan and her lover. Susan, played by everyone's favorite material girl Madonna, is as funky and bip as Roberta is white bread and Yuppie. Susan is also the consummate user—she has just left Atlantic City after spending the weekend with a high roller who she cleaned out before she left his hotel room.

Unbeknownst to Susan, she has stolen a valuable pair of stolen antique earrings—valuable enought for her lover to have been killed for them. The naive Roberta follows Susan around the Battery for the afternoon, totally absorbed by this alien lifestyle Susan represents, going so far as to buy a jacket Susan has just sold to a resale shop.

Robert then arranges, via the ubiquitous personal column to meet Susan and return some personal items left in the jacket. Unfortunately, Susan and Roberta are not the only ones who read the personal column. The hit man who polished off Susan's Atlantic City boyfriend shows up, as does a friend of one of Susan's other boyfriends who was sent to check up on her. There is then a chase, an accident, and Roberta falls victim to the disease you thought only existed on soap operas—amnesia—and is mistaken for Susan.

The rest of the movie is then spent following this nice person dropped into Susan's subterranean world, and watching Susan take herself into Roberta's New Jersey suburb.

DESPERATELY SEEKING SUSAN is blessed with wonderful performances from all its players, and Rosanna Arquette is especially good as the housewife whose wildest dream is coming true. Although the amnesia trick is as old as the hills, Arquette is believable as the befuddled Roberta. Madonna is also good for the atmosphere she lends to the film. She does little more than play the hard-edged woman she is always singing about, but she isn't overplayed. She is overdressed, thought, and this is the chance for all of you who wish that neon sweatshirts and bare belly buttons bad never come into vogue to take your revenge. Some of the costuming in this movie is so bizarre that it makes otherwise minor scenes very funny.

Roberta's husband Gary and his sister Leslie are also wonderful characters. They are the epitomy of the suburbs. Their absolute horror at the idea of Roberta loose in Manhattan is classic, and Gary's easy philandering with Susan once she decides to invade Roberta's New Jersey domain is rivalled only by his series of tacky commercials for his chain of hot tub stores for sheer comic relief.

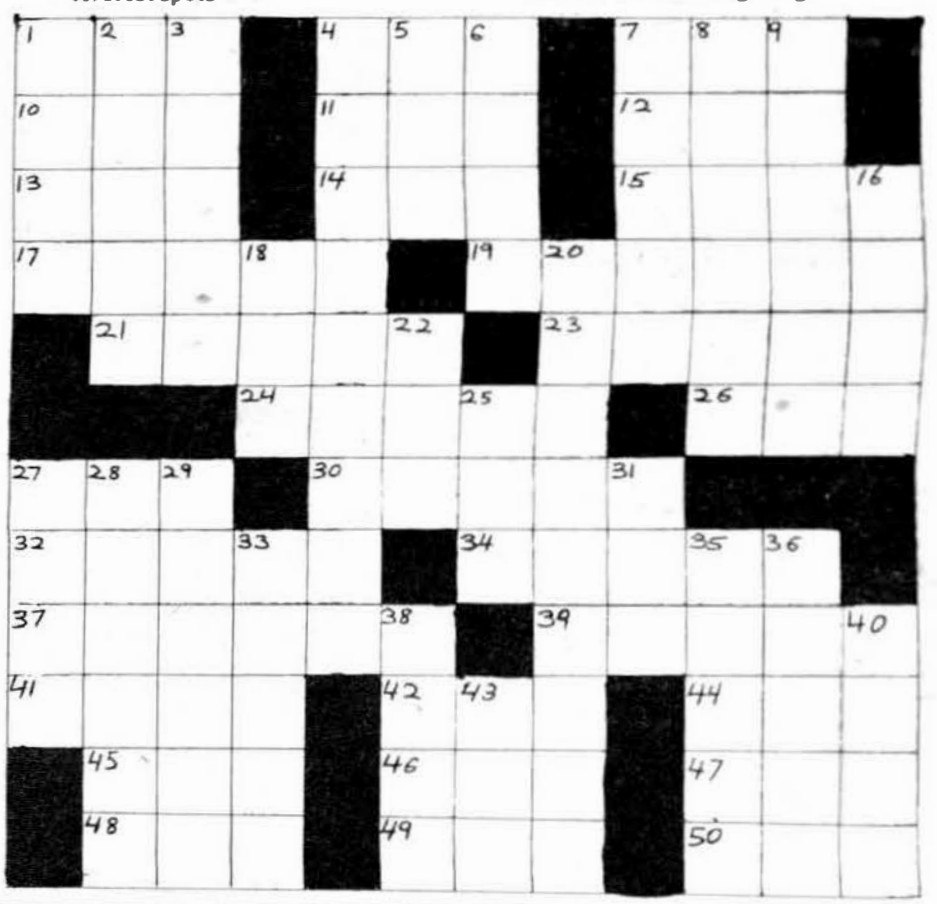
DESPERATELY SEEKING SUSAN is a funny movie and well worth the price of admission for anyone who has ever dreamt of shedding their own mundane life and moving into a strange and wonderful world. I guess if you live near Manhattan, you just don't have to go so far for the strangeness.

Crossword

1. Sore
4. Vine
7. Elec. Unit
10. Greatest
11. Before culpa
12. Soil
13. Male nickname
14. Before se or diem
15. Flower
17. Retirement Act
19. Choose
21. Signs of sadness
24. What thief did
26. Sum
27. Corrode
30. Incompetent
32. Stadium
34. What professors make you do
37. Things you hate
39. What pitchers want (2 words)
41. Man's name
42. Joke
44. Woman's name
45. Wreath
46. Rear
47. Sun
48. Time period
49. Emerg. signal
50. Direction

DOWN

1. Companion
2. Sharp
3. South
4. What judge should be
5. Twenty-first letter
6. Enclosure
7. Friends (Italian)
8. Yacht area
9. Indulged in self-importance
16. Transmit
18. Airline
20. Large mammals
22. Male offspring
25. Rent
27. River
28. Bird
29. Gentle or soft
31. Common metal
33. Gymnast
35. Unpleasant sound
36. Compliments
38. Rest spots
40. Story
43. Controversial sighting



Answers

MAD IVY AMP
ALI MEA MAR
TEX PER IRIS
ERISA DECIDE
TEARS LINEN
STOLE ADD
ROT INEPT
ARENA THINK
FINALS ANOUT
TODD PUN IDA
I.EI AFT S●L
ERA SOS ESE

RG RECRUITING PARTY

We need writers and wits and someone who can balance a checkbook and lots of good people to help us find typos, sell ads, take photos, collect gossip, and drink beer. We know it's hard to believe, but most of us had absolutely no experience when we started here.

please come and drink some beer and eat some 'za with us Friday. We'll show you around our capacious office with its many amenities and try our best to get you intoxicated.

FRIDAY APRIL 12 * 3:30 ON**
408 HUTCHINS HALL

'Bye, Kris!

Some of you who have wandered into room 300 with questions ranging from bow to sign up for clinic to when will the pub be finished have met Kris Munroe. She is the Law School Recorder.

Great, you're thinking, but why is she in the paper? Well, Kris is leaving us in July to pursue a graduate degree and we at the RG wanted to mark her passing by immortalizing her in our pages. Also, any of you who want to say goodbye are now forewarned that if you wait until next August you'll be too late.

Kris was always very approachable with questions, even if it was for an RG story. Let's hope the new recorder is the same way. And so we bid Kris goodbye and good luck.

American Indian Law Student's Assoc.
present
INDIAN LAW DAY
April 16, 3 p.m. to 6 p.m.
Rm. 150, Hutchins Hall
Speakers, Film, Reception, Refreshments
Sponsored by: Native American Student's Association, L.S.S.S., M.S.A., Law School Speaker's Committee, Rackham Graduate Students, Office of Student Services

Another Missed Gravy Train

By Bruce Charendoff

Deep in the bowels of my high school lurked a student snack bar called "The Snug." No windows and a few flickering lights in the dirty, smoky room made it thankfully difficult to see some of the cruelest foods ever to slide off a spatula. We're talking McMineshaft. Mystery sleazeburgers, dripping fries illiterate in French and Lenders onion bagels careening toward their two year expiration date were the heart and soul of the menu. I know what you're thinking. Only a gurgling loon would eat such spam. But when the school cafeteria was serving up chicken tetrazzini, you needed a reservation and correct change to hop a boxcar down to Snug City.

Eventually the student body got mad as hell. In its inimitable fashion, the student council immediately snapped into action. Three years later, when I was a freshman in college, the new Snug bad its gala grand opening.

During homecoming that fall, I returned to my alma mater. Since the alumni lunch turned out to be slop buckets full of an all too familiar chicken dish, I laid my tracks for the Snug—just like old times. Well, the place looked marvelous. Carpeting and lighting had been meticulously put in; grease and smoke had been miraculously pumped out. And the menu! Imagine my emotional reaction to the news that raisin and honey bagel bagels now supplemented traditional onion. Even if they couldn't come through with pate party sandwiches with their white bread crusts carefully trimmed off, the toasted BLT I polished off that afternoon was a far sight better than the Kibbles and Bits of yore.

I moped back to college, feeling like the proverbial Columbia Pictures and American Broadcasting Company shareholder who unloaded his stock portfolio days before Coca-Cola decided to dabble in films and Capital Communications opted for Wide World o'Sports.

Some of the more memorable moments of my life in my life took place in a dark recess between Kafka and Kant.

I attended one of the few colleges in the Northeast that had no student center. I ate meals, met women, threw parties and occasionally read books—all on the seventh floor of the library stacks. Some of the more memorable moments in my life took place in a dark recess between Kafka and Kant. Hey, don't get me wrong—I had a great time in college. Maybe it's just me, but I merely think that a guy shouldn't have to bust up a keg party whenever he needs to use the microfiche viewing room.

Mine wasn't the only voice clamoring for a student center; all the undergrads with a fierce sense of priorities jumped on the bandwagon. The cacophony reached a crescendo when I was a junior. At that time, the university chose a site, architects drew up plans during the summer, and construction finally began early in the fall of my senior year.

About the time I was grappling with the plaintiff's identity in *Pennoyer v. Neff*, my college alumni bulletin arrived trumpeting the news of the new student center's ribbon-cutting ceremony. A restaurant, pub, post office, college store, game room and wide screen TV were at last under one roof—750 miles away. I slid off my torn vinyl chair in the basement of Hutchins, fed two quarters into the machine that dispenses Hostess fruit pies and let out a deep sigh.

There is less than a month left to play and twenty brown-bag lunches left to eat in my third year of law school. I avert my eyes each time I walk past that room which will surely become the lounge when I am observing depositions next fall. I declined to enter any of the "Name the Student Lounge" contests for fear I would win and get emotionally involved with a place I would never see except during no-show interviews on recruiting trips.

I do hope that whoever gets the concession in the lounge will consider naming their fare after Supreme Court Justices. "The Justice Rehnquist"—a big pile of cold turkey slapped between two thick slabs of white bread—would really make my noon-hour. "The Chief" could be a 1/16th pound Burger on a very big bun. You know, something that would coax Clara Peller out of retirement to ask the beef question. And I'm hot on the trail of an appropriate luncheon meat for "The Justice Frankfurter."

I recently learned that in the city where I'm working next year, the government is installmg a new lawyers' lounge in the federal court building. Just before it is scheduled for completion, I expect to be rotating from litigation to real estate. Whoa! I get no respect.

Random Notes From A Random First-Year

By Rob Shantz

A Sampler of Random Thoughts:

•Doing my brief taught me a lot about myself. I now realize, for example, that if I were God I would have waited until the seventh day before I got serious about creating the world. (Is evolution God's way of procrastinating?) Alternatively, if I were told to leave an Old West town by sundown, you can bet the sun would be quite low before my bags were packed.

•Call me a clayhead. Just the other day I learned that law school is a three year program, instead of a two year program as I had thought. I guess the MBA people bad me convinced it only takes two years to become an overpaid societal leech.

•SFF is a great idea; it's about time someone started a Squirrel Fitness Fund. Let's face it, the squirrels in the Law Quad have been pampered for too long. Other than occasionally being chased by beer-sodden law students, the only muscles these creatures exercise are their eyes as they strain to watch maintenance people actually do some work. Anyway, I think all the money SFF has raised should be used to buy tiny little Nautilus machines that can be placed throughout the Quad.

•Here's how I remember Res Judicata: If at first you don't succeed, you can't try, try again.

•It's nice to be a student at a prestigious national law school, but I would still trade places with David Lee Roth.

•I had the weirdest dream the other night. In this dream, I was looking in a mirror when suddenly my image reached out and began strangling me. I woke up in a cold sweat thinking, Rob, get a hold of yourself."

•I'm sorry America, but I do not like Lee Iaccoca.

•If I were Picozzi, I would have used precedent. That is, I would have said that some lost cow wandered up mto my room and kicked over a lantern that I had sitting on my desk after all, as I recall Mrs. O'Leary was granted her letter of good standing from the University of Chicago's Law School.

Law in the Raw

Compiled by Dana Deane and Nora Kelly

Go to College, Get a Law Suit

Phoenix attorney Herbert Ely has been taken to court by his daughter, who claims he won't pay for her college education.

In a complaint fiuled in Arizona Superior Court Elise Ely, 18, asks for $250,000 to cover her expenses at college and graduate school and to compensate her for severe mental anguish.

The suit alleges Herbert Ely breached a 1978 separation agreement with his wife that be provide for his children's educational and living expenses throughout college. The Ely's divorced in July of 1978.

The suit contends that the daughter told her father is September that she would be starting college in January. Herbert Ely said he offered to pay reasonable college expenses for Elise, who began classes at Arizona State University. But, he said, his former wife asked him to pay $1,400 a month, which he considers too much.

"Regardless of the legal obligation here, there is a moral obligation, and I recognize that," Ely said. He said it was unusual for a daughter to sue her father, as well as "sad and tragic."

The Arizona Republic, February 10, 1985

"Whatever happened to. . ?"

Those '60's radicals keep turning up in unexpected places. Bernardine Dohrn, former leader of the Weather Underground, recently signed on with the Chicago firm of Sidley & Austin. Dohrn, who is a 1967 graduate of the University of Chicago law school, will be a first-year litigation associate with the firm. The former radical, who had been in hiding for 10 years, resurfaced recently to face charges stemming from anti-war activities. Sentenced to three years probation on the misdemeanors (for assault, resisting arrest, and disorderly conduct), she passed the N.Y. bar in 1984.

American Lawyer
Jan./Feb. 1985

Mutual of Omaha's Riled Kingdom

Marlin Perkins would not be pleased with the shirts that are about to cause a First Amendment battle. The shirts, made by an anti-nuclear activist, say, "When the world's in ashes, we'll have you covered," along with an Indian head logo and the name "Mutant of Omaha." A U.S. District Judge ordered the activist to stop selling the shirts. But what began as a trademark mfrmgement suit may heat up, now that the American Civil Liberties Union ahs jumped in. An ACLU attorney has filed for summary reversal with the 8th U.S. Circuit Court of Appeals.

National Law Journal
Jan. 28, 1985